THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2016-0476, Linda-Marie Nakamura v. Michael J. Gill & a., the court on May 15, 2017, issued the following order:

Having considered the brief, the memorandum of law, and the record submitted on appeal, we conclude that oral argument is unnecessary in this case. See Sup. Ct. R. 18(1). We affirm.

The defendants, Michael J. Gill and The Mortgage Specialists, Inc. (MSI), appeal orders of the Superior Court (Howard, J.) defaulting MSI, granting the plaintiff, Linda-Marie Nakamura, a final default judgment of $105,391.06, and denying their motion to recuse the presiding trial judge. They contend that: (1) the trial court erred by not vacating MSI's default more than eight months after it was issued because "[t]o assert that [they] simply ignored the trial court's decision over several months is ridiculous"; (2) the trial judge erred by not recusing himself; and (3) the trial court committed plain error by allowing the judge to determine whether to recuse himself because that procedure violates the State and Federal Constitutions.

As the appealing parties, the defendants have the burden of demonstrating reversible error. Gallo v. Traina, 166 N.H. 737, 740 (2014). Based upon our review of the trial court's well-reasoned orders, the defendants' challenges to them, the relevant law, and the record submitted on appeal, we conclude that the defendants have not demonstrated reversible error. See id.

Affirmed.

Dalianis, C.J., and Lynn, J.; and Smukler, J., retired superior court justice, specially assigned under RSA 490:3, concurred.

Eileen Fox,
Clerk